

TOWN COUNCIL MEETING MINUTES

May 19, 2016

1. Call to Order and Pledge of Allegiance

Mayor Pro Temp Dean Heavrin called to order the meeting of the Town Council of the Town of Hideout at 3:35 p.m. on May 19, 2016 at 10860 North Hideout Trail, Hideout, Utah and led the Pledge of Allegiance.

2. Roll Call

The mayor pro-temp conducted a roll call. The following Council Members were present:

Dean Heavrin
Doug Egerton – by telephone
Cyndie Neel

Absent: Mayor Martino
Hanz Johansson
Jim Wahl

Also attending: Town Clerk - Lynette Hallam, Kent Cuillard – Public Works, Justine Adlong, Chris Baier, Brian Blazzard, Nicole Blumin, Scott Crawford, VeeAnn Crawford and Will Pratt

3. MINUTES - Consideration and Approval of Minutes for Regular Meeting of April 14, 2016

Council Member Doug Egerton made a motion to approve the minutes of the regular meeting of April 14, 2016. Council Member Cyndie Neel seconded the motion. The motion passed with a unanimous affirmative vote from Councilors Neel, Egerton and Heavrin.

4. Consideration of Appointment of Mayor Pro-Temp

This item was tabled until a future meeting.

5. DECISION ITEM – Discussion and Possible Approval of Tentative Budget for Fiscal Year 2015-2016

Town Clerk Lynette Hallam explained the budget the Council Members received was the tentative budget for the upcoming year. Next month when the actual budget is adopted, the previous, current and ensuing year will be shown.

Council Member Doug Egerton pointed out he had not received financials for a few months so he had no way of seeing where the Town is on the current year. Mayor pro-temp stated the financials had been sent by email just previous to this meeting. Councilor Egerton stated he had not had time to see how the Town is running currently and compare that to the preliminary budget for next year. Council Member Egerton said he needed more information before he could approve the final budget. The town clerk explained the tentative budget needed to be approved at the first meeting in May. This is not the final budget, but a starting place for tweaking the budget to get a final budget next month.

Council Member Cyndie Neel stated a motion to approve the tentative budget for the fiscal year 2016-2017. Council Member Doug Egerton seconded the motion. The motion passed unanimously; voting in favor Councilors Heavrin, Egerton and Neel.

6. ORDINANCE #16-04 – An Ordinance Amending Certain Sections of the Town Code of the Town of Hideout, Utah; Providing for Severability; and Providing for an Effective Date (Title 12 – Administrative Code Enforcement Hearing Program)

Councilor Doug Egerton stated he had read through the ordinance. Council Member Cyndie Neel said she had not received it. (She gave the Clerk another email address to alleviate this problem.)

Council Member Egerton asked about the Administrative Law Judge mentioned in the proposed Title 12. The town clerk replied the Town does not have an Administrative Law Judge at the present time. The clerk indicated her experience was it should be someone with experience with the law. If it comes to that point in enforcement of Title 12, an ALJ would need to be appointed. Such person does not have to be a resident, but someone who has the expertise to do that job.

Council Member Doug Egerton offered an explanation of how the penalty fees had worked in the past; the fines were disproportionate and were difficult to collect. The current proposal will put a ceiling on the fines of \$1000. At that point the building site will be shut down until it is resolved.

Council Member Cyndie Neel motioned to table this matter until everyone had a chance to read the ordinance. Council Member Doug Egerton seconded the motion. The motion passed with affirmative votes from Councilors Neel, Egerton and Heavrin.

7. DECISION ITEM – Penalty Fees: Code Violations (Fee and Rate Resolution will be updated later)

Council Member Doug Egerton offered an explanation of how the penalty fees had worked in the past; the fines were disproportionate and were difficult to collect. The current proposal will put a ceiling on the fines of \$1000. At that point the building site will be shut down until it is resolved. Council Member Egerton stated if these penalties applied only to builders he was in agreement with the fines.

Council Member Cyndie Neel made the motion to approve the update to penalty fees for Code violations. Councilor Doug Egerton seconded the motion. Councilors Neel, Egerton and Heavrin voted unanimously in favor.

8. **CONSIDERATION & APPROVAL OF BILLS TO BE PAID – Approval of Payment of April Bills**

Council Member Doug Egerton motioned to approve payment of the April bills. Council Member Cyndie Neel seconded the motion. The motion passed unanimously with “aye” votes from Councilors Heavrin, Egerton and Neel.

9. **Review Financial Statements, If Needed**

No discussion.

10. **Public Input**

Scott Crawford asked for clarification considering Mayor Pro Temp. Mayor pro-temp Heavrin clarified it was so there would be someone to conduct the meetings if the mayor was unavailable and to sign checks if needed.

Chris Baier reported the Trails Committee is working with the Wasatch Trails Alliance to submit a grant application for approximately \$18,000 to build about three miles of trails at the Ross Creek area of Jordanelle State Park. They will have to do a NEPA study which will hopefully take no more than 90 days to do. Assuming they get clearance from the Bureau of Reclamation and State Parks to allow construction down there, they are very hopeful of starting in the fall.

Scott Crawford brought up water reservation fees; he had received a letter saying he was past due on the fees. This was complete news to him. The Town Clerk explained that Carolyn Kuchinsky was over the water and sewer matters. The mayor pro-temp advised Mr. Crawford to bring it up with Ms. Kuchinsky.

Mr. Crawford also asked if the Town Council knew when electricity will be installed along Longview; his lot #11 has never had electricity. Mr. Crawford stated Rocky Mountain Power had given the contract to Bob Martino over three years ago, and it has never been signed. The backbone is not in and if power goes down it will affect that whole part of the subdivision, and it was the developer's responsibility to put that backbone in. Mr. Crawford also reported that Rocky Mountain Power won't patch the power into him like they did for Bruce Arrow. Councilor Doug Egerton asked if there is electricity on Lasso; Scott Crawford said there is but the backbone on Longview was not in.

Council Member Dean Heavrin stated this was a County issue because that section was in before the Town incorporated and the County approved that plat. The Rustler subdivision took power in backwards because the County allowed them to. The Town cannot force Rocky Mountain Power to put it in. Chris Baier asked if the Town could facilitate a resolution. Mayor Pro-Temp Dean Heavrin the Town wants to help and can push a little but cannot force the County to do it.

Justine Adlong claimed it had been done in the past for Bob Martino by hiring attorneys and paying for them. Mayor pro-temp stated the Town had never paid for attorneys for Bob Martino. Mr. Crawford said according to Rocky Mountain Power it all lies with the developer, Bob Martino. RMP indicated they had given Bob Martino two contracts 2½ years ago, one to finish

the backbone which is the primary source of power to the development and the other one was for Forevermore Estates. The Forevermore contract was signed and done, but the backbone was never finished. Mr. Crawford asked if it could be added as an item on the agenda.

Council Member Doug Egerton stated that the Council wanted to request a meeting protocol that says who can put items on the agenda.

Councilor Egerton said he was trying to get his mind what the responsibility of the Town is on Mr. Crawford's matter; it would probably require further research. At the time the Planning Commission is asking the Council to approve subdivision plats, there needs to be assurances that utilities are in place or there is a plan for putting them in place with a timeline and/or a bond etc. to get it done. Maybe the Council is not asking enough questions. What are the assurances everything is going to be developed and put in place?

Mayor Pro-Temp Dean Heavrin opined the battle is between resident and the developer. The Town can try to push the matter forward, but cannot offer up the Town attorney. Scott Crawford said there will not be a permanent solution until the backbone is in. Mr. Crawford asked if this could be an item on next month's agenda; if not, he will bring it up in the public comment portion.

Chris Baier commented there does not seem to be any planning in town; perhaps the Town should have a planner on staff. The Town is getting into issues such as infrastructure, etc. and needs to actually follow the law of the Town. Ms. Baier recommended the Town Council talk to the mayor to consider filling the role of the planner and budget for it.

11. **Adjournment**

Council Member Cyndie Neel made the motion to adjourn the Hideout Town Council Meeting.
Council Member Egerton seconded the motion.

The meeting adjourned at 4:15 p.m.

Lynette Hallam, Town Clerk

Approved: 6/16/16